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Green Flag over Texas – The First Republic

In 2010 we commemorated the bicentennial of the beginning of the Latin American independence movements, which offered an opportunity for reflections. Understandably, Spain and her American colonies were in the center of attention, although there were some references to the Colossus of the North in connection with the first wave of the revolutions, and more significantly in connection with Cuba and the Spanish-American War of 1898.

Most of the analyses focused on the centers of the revolts that in many cases became the capitals of the newly independent republics. It is important to point out, however, that there were considerable activities in the borderland regions as well. That is the reason why I chose the establishment of the First Republic of Texas as a topic for the conference.

My presentation was not only dedicated to the memory of Tibor Wittman, but also to one of his students who was my honored teacher, György Kukovecz.

Texas belonged to six different states during its history. In 1519, Alonzo de Pineda was commissioned to explore the Gulf coast from Florida to Vera Cruz and established Spanish claim to the region that included the lands later known as Texas. The French explorer, René-Robert Cavalier, Sieur de La Salle landed on the Texas coast in 1685 and claimed the territory for France. He established Fort Saint Louis near the bay, but without enough personnel and supplies, the French had to abandon it and thus Spain regained its claim. Starting in 1690, and then again in 1721, the most important aim of the Spanish crown was to establish missions that were to convert the Native population to Catholicism as well as to integrate them into the Spanish colonial administrative system. During the course of the 18th century three missionary centers were organized in Spanish Texas between the Nueces and the Red River: San Antonio, Goliad, and Nacogdoches.¹

After 1790 the missions started to decline and had to be secularized. At the turn of the 18th and 19th century Spain made a great effort to populate the region with settlers from the south and the north, as well as from Europe. That was the period when Anglo American immigration also began.²

When Bourbon rule was questioned in Spain as a consequence of

¹ MEINIG (1969): 23-24. CAMPA (1979): 157, 167, 169. WEBER (1992): 1-3, 34-35, 148-158, 186-191.

² CONNOR (1971): 172-173. WEBER (1992): 271-275.

Bonaparte Napoleon's expansionist plans and the mother country could pay little attention to her colonies, they made use of the situation and broke away. Mexico became independent in 1821 with Texas as part of it.³ Then, as more and more Anglo Americans arrived in the area, the province declared its independence in 1836. The Texas Republic existed till 1845, when it was annexed to the United States as the 28th state.⁴ Even though during the Civil War it seceded, Texas re-entered the Union and has been part of it again since 1870.

In addition to the six flags, three other banners have flown over Texas as a result of different filibustering expeditions and secessionist movements. All of them were flags of revolution. Out of the three, in this paper I would like to concentrate on the first one and discuss the establishment of the First Republic of Texas in 1813. My aim is to outline the social and political developments in the region and to present the reasons for the outbreak of the rebellion. My study focuses on the role José Bernardo Gutiérrez de Lara played in organizing the revolt, trying to gain the support of the United States of America, and making an attempt to end Spanish rule in Texas. My paper is based on the analysis of primary sources, among them (the) Gutiérrez's Diary and different documents related to the revolt. I also intend to examine, assess, and present the results of American historiography.

When the Seven Years' War ended in 1763 and Spain acquired the western tributaries of the Mississippi River (Louisiana) from France, Texas had been transformed from a frontier to an interior province. The situation changed in 1800 when the territory returned under French control, and even more significantly when the United States purchased the Louisiana Territory from Napoleon in 1803. At that point Texas became part of the buffer zone between New Spain and the expanding United States of America, but its status was debated by both countries. The American government treated the region as part of the Louisiana Purchase, while the Spanish were not willing to give it up.⁵

Finally, a compromise was reached in 1806, which left the territory along the Sabine River temporarily outside the jurisdiction of either country. Before the compromise both sides were gathering troops near the disputed area. In order to prevent clashes, American General James Wilkinson and Spanish Lieutenant Colonel Simón de Herrera, the two military commanders in the region, signed an agreement on November 4, 1806, declaring the disputed territory Neutral Ground, until the boundary could be formally established by their respective governments.⁶ The agreement was not a treaty and was not ratified by either

³ WITTMAN (1971): 231-232. WEBER (1982): 9.

⁴ KÖKÉNY Andrea: *Angol-amerikaiak Texasban, 1821-1845*, Doktori értekezés, Szeged, 2007.

⁵ WEBER (1992): 291-296. MEINIG (1993): 58-60. CHIPMAN and JOSEPH (1999): 228.

⁶ „*The Neutral Ground Agreement*,” in WALLACE and VIGNESS (1963): 37-38.

government. Still, it was largely respected. A demilitarized zone was created and thus peace was preserved. However, as it could be expected, this no man's land soon filled with a wide range of fortune seekers, deserters, political refugees, thieves, fugitive slaves, and smugglers – people who were neither welcome in Texas, nor in Louisiana.⁷

Following the Neutral Ground Agreement, Texas received its own resident governor, the intelligent and vigorous Manuel de Salcedo. He had travelled to Texas by way of the United States. He arrived in November, 1808 and assumed his post. He decided to take an inspection tour to survey the province. He delivered his report almost a year later and found that there were only 353 veteran soldiers in Texas and the population was just 3,122.⁸

All this meant that Spanish attempts to populate the borderland region had been futile. To worsen the situation, in the meantime, news of the Napoleonic Wars reached New Spain. When the reports of Charles IV's retirement, the capture and imprisonment of Ferdinand VII, and the outbreak of war on the Iberian Peninsula reached New Spain in the summer of 1808, they added to the uncertainty and then produced a flurry of activity there.⁹

After Father Miguel Hidalgo started his revolt against Spanish rule on September 16, 1810, its news spread to the frontier region as well. On the night of January 21, 1811 Juan Bautista de las Casas, a retired militia captain from Nuevo Santander, organized an attack against royalists in San Antonio de Béxar.¹⁰ With a group of revolutionaries they captured Governor Manuel de Salcedo, Simón de Herrera, the governor of Nuevo León, and twelve officers, and sent them to Monclova. Las Casas proclaimed himself to be the interim governor. His (absolute) rule, however, only lasted for thirty-nine days. On March 2, 1811 Juan Manuel Zambrano and other counter-revolutionaries occupied his residence and arrested him and his adherents.¹¹ Governor Manuel de Salcedo, Simón de Herrera, and the officers were released. Less than three weeks later Father Hidalgo and his followers suffered huge losses in a battle near Guadalajara. They were fleeing towards Texas, when they were ambushed and captured near (at) the Wells of Baján on March 21, 1811.¹²

It was Governor Manuel de Salcedo who conducted their trial in Chihuahua. On July 31 Hidalgo was executed before a firing squad. As a lesson to would-be revolutionaries in Texas, a month later Las Casas was tried by royalists in Monclova. He was found guilty of high treason, and

⁷ WEBER (1992): 295. FEHRENBACH (120): CHIPMAN and JOSEPH (1999): 230-231.

⁸ FEHRENBACH (1968): 120. CHIPMAN and JOSEPH (1999): 231. MCDONALD (2010): 20.

⁹ FEHRENBACH (1968): 121. WITTMAN (1971): 210-211. WEBER (1992): 296-297. ANDERLE (1998): 77-78.

¹⁰ MILLIGAN (1975): 11. CHIPMAN and JOSEPH (1999): 233. McDonald (2010): 21.

¹¹ MILLIGAN (1975): 14. DE LA TEJA (2010): 31. MCDONALD (2010): 22-23.

¹² WITTMAN (1975): 214-215. MILLIGAN (1975): 17. WEBER (1982): 9. ANDERLE (1998): 79.

was shot in the back. His head was cut off, placed on a pole and displayed in the military plaza of San Antonio.¹³

The trial and execution of Las Casas, however, did not suppress revolutionary sentiments in the Northern provinces and leadership was taken over by José Bernardo Maximiliano Gutiérrez de Lara. He was a native of Revilla (now Ciudad Guerrero), a small town on the southern bank of the Rio Grande in the frontier province of Nuevo Santander. His family had been among the founders of the town in 1750, and soon gained fortune and respect. Bernardo Gutiérrez de Lara was born on August 20, 1774. He received some education and at the age of twenty-four married a widowed cousin who bore him five sons and a daughter. By the time the war of independence broke out, he had established himself in Revilla as a landowner, blacksmith, and storekeeper.¹⁴

In a report presented to „the Sovereign National Congress of Mexico” on August 1, 1815, he explained how he joined the opposition against Spanish rule. According to his account, he and his brother, Father José Antonio played an important role in gaining recruits for the anti-royalist army by spreading propaganda and appeals, and persuading many to join the revolutionary cause in Nuevo Santander, Coahuila, and Nuevo León. As a result, most of northern New Spain, from San Luis Potosí to Monterrey, was soon controlled by the rebels.¹⁵

Tibor Wittman summarized the results of this phase of the revolution with the following statement: „*Guerilla units were organized all over Northern Mexico, most of them led by village priests. [...] As a result, Spanish rule virtually ceased to exist in the northern part of the country.*”¹⁶

Father José Antonio’s next commission was to seek supporters in towns along the lower Rio Grande: in Revilla, Laredo, Mier, Camargo, and Reynosa. His efforts were successful, and thus the impetus for revolution soon spread across the river, to Texas. In a way, the Las Casas revolt was a product of these events.

When Las Casas and his adherents were executed and royalist control was restored in Texas, it was Bernardo Gutiérrez de Lara who undertook the leadership of the revolutionary forces. He was authorized to seek assistance in the United States. In fact, the first attempt to send a revolutionary envoy to the U.S. was made during the Las Casas revolt, when Ignacio Aldema was authorized to travel to the North and solicit aid. He hoped to recruit American volunteers as well as to acquire arms. His

¹³ MILLIGAN (1975): 18. CHIPMAN and JOSEPH (1999): 233-234. MCDONALD (2010): 24.

¹⁴ WEST (1928): 55-56. MILLIGAN (1975): 4. CHIPMAN and JOSEPH (1999): 233. NARRETT (2002): 198.

¹⁵ MILLIGAN (1975): 7. CHIPMAN and JOSEPH (1999): 235.

¹⁶ WITTMAN (1971): 215.

plan, however, was aborted when he and his companion, Father Salazar were arrested by counter-revolutionaries.¹⁷

Gutiérrez, realizing the importance of American support, offered his services and volunteered to go on a mission to the United States himself. The leading revolutionary officers held a secret council and Gutiérrez was appointed plenipotentiary of the government to be formed at the Rio Grande Garrison. He received credentials in the name of the government-to-be.¹⁸

After the execution of Las Casas, he was afraid of betrayal. So, first he hid in his house in Revilla *„like a miserable mole under the leaves, expecting death if I was discovered, but life, if things took on a more favorable aspect.”*¹⁹ He also hid another rebel, Captain José Menchaca, a former Spanish officer, who was fleeing Governor Salcedo. At Gutiérrez's expense they gathered and outfitted twelve men with guns and supplies and set out on a journey across royalist-controlled Texas to the United States.²⁰

They successfully crossed the land of different Indian tribes and reached American soil at Natchitoches, which was part of the Louisiana Territory. While they were crossing the Neutral Ground strip, however, they were attacked by about fifty royalists on September 18, 1811. In Gutiérrez's words, they lost *„everything we carried, and most important of all, the papers and dispatches which proved my commission in a positive manner.”*²¹ Because of this incident, they had to wait in Louisiana for a month before travelling on to Washington D.C. At that point, Gutiérrez and Menchaca decided to separate. Menchaca was to ride back to Texas, take command of the volunteers thought to be waiting there, while Gutiérrez was to continue to the United States capital. Menchaca was supposed to establish a provisional government and to send Gutiérrez the necessary credentials and money to buy arms.²²

Gutiérrez was in fact in a rather ambiguous position when he set out for the American capital. He did not have proper credentials, which raised fundamental issues of political legitimacy. What government did he represent? What powers did he have to act on its behalf? It is certain that he wanted to return to his native country with aid from the United States. His mission, however, was open-ended and in reality it was bound to be shaped by circumstances beyond his immediate control. He was allied with the republicans, but what exactly Mexican republicanism meant was not that definite. I agree with David Narrett's argument that Mexican *„republicanism broadly implied a national government devoted to the public good, but it did not yet*

¹⁷ WEST (1928): 57. NARRETT (2002): 200.

¹⁸ WEST (1928): 57-58. MILLIGAN (1975): 16.

¹⁹ Quoted in CHIPMAN and JOSEPH (1999): 235.

²⁰ WEST (1928): 58. MILLIGAN (1975): 17-18.

²¹ WEST (1928): 58. also quoted in CHIPMAN and JOSEPH (1999): 235.

²² MILLIGAN (1975): 20. STAGG (2002): 458-459.

mean [in the phase of the revolution] the open repudiation of monarchy."²³

Gutiérrez took only one travelling companion, a servant boy, and two hundred pesos. Before leaving Natchitoches on September 27, 1811, he wrote a letter to the American Secretary of War, William Eustis explaining his mission. In the name of humanity he asked for protection by the American government and in the name of freedom, aid in man, money, and arms. If they were provided help(ed), he argued, they would incite a military rebellion against Spanish rule in Texas and if it succeeded, they would open a commercial route and export Mexican silver and other goods to North America.²⁴ It is telling of his position at that point that in the letter Gutiérrez presented himself as both a lieutenant colonel of the „Kingdom of Mexico“ (*el Reyno de México*), and an emissary of „Our republic“ (*Nuestra república*).²⁵

Although he was in a position of representing a would-be government, American sympathizers of the Mexican cause in Louisiana had written for him letters of introduction to some government officials along the way and they had also provided him with a new set of credentials. He was provided with more letters of recommendation to different members of Congress, the Speaker of the House, and the President by officials he met along the way.²⁶

Gutiérrez and his servant travelled overland and suffered a lot from cold and exposure before arriving in the American capital on December 11, 1811. Gutiérrez recorded their experiences, the hardships and the adventures of their trip in a diary. He recounted his observations along the journey from some point in Tennessee to Washington D.C. He gave an account of his reception in the capital and his opinion about the different institutions he visited there and in Philadelphia and the different people he met. He also told about his return trip to Louisiana.²⁷

In Washington D.C. he had a favorable reception from the American officials in both the Departments of War and State. He consulted with Secretary of State(,) William Eustis and Secretary of State James Monroe, and he also had the opportunity to meet President James Madison. During the negotiations, John Graham, Chief Clerk of the State Department, and former minister to Madrid, helped him as interpreter and intermediary. To Gutiérrez's disappointment, however, as „the first unofficial representative from the Mexican people to the United States,“ he could only receive unofficial support from the American government.²⁸

²³ NARRETT (2002): 201.

²⁴ MANNING III. (1925): 1593.

²⁵ *ibid*, NARRETT (2002): 202.

²⁶ Diary, 65-66. 68. CASTAÑEDA, VI. (1950): 59.

²⁷ Diary of José Bernardo GUTIÉRREZ de LARA, 1811-1812, I, transl. from the original Spanish and edited by West, Elizabeth HOWARD. *The American Historical Review*, Vol. 34, No 1, October, 1928. 55-77.

²⁸ Diary, 73. MILLIGAN (1975): 29-30. CHIPMAN and JOSEPH (1999): 236. NARRETT (2002): 204.

He was pleased by his hosts' sympathy with the Mexican cause, but was astonished by their assertion that the Louisiana Purchase established American rights to lands as far south as the Rio Grande. I agree with David Narrett's argument, however, that even though the United States did claim Texas as part of the Louisiana territory, the Madison administration had not yet planned to incorporate the region into the Union.²⁹ The American government had a good reason to refrain from action and a more imminent issue to be concerned about and concentrate on. When making use of the uncertain situation and political vacuum caused by the effects of the Napoleonic Wars, East Florida broke away from Spain in 1810 and the inhabitants proclaimed their wish to belong to the United States, the American government could not remain impartial. In 1812 it was much more important for them to secure East Florida than to involve the American army in an armed conflict over Texas. It was even more understandable if we keep in mind that the outbreak of a British-American war was threatening as a consequence of growing tensions during the Napoleonic Wars. The American government could not provide direct assistance to the Mexican revolutionaries without risking a war with Spain.

Bernardo Gutiérrez de Lara could not really accept the hesitation of his American hosts, and after one exchange of arguments he exclaimed in his diary: „*Maria Santísima, help me and rescue me from these men!*”³⁰

As it could be expected, Spanish agents in Washington and Philadelphia soon learned about Gutiérrez's activities. On January 1, 1812, Luis de Onís, Spanish minister to the United States wrote a letter to the viceroy of New Spain and reported on the „*various secret discussions*” between Gutiérrez and different members of the American government. He also warned the Spanish authorities that the Mexican revolutionary would soon depart for Natchitoches.³¹

There was an urgent need for Gutiérrez's return to Texas, especially because he learned that his original travelling companion, José Menchaca had given up the mission he left for after their separation in Louisiana. The American volunteers he commanded failed in their attempt to take Nacogdoches. When they ran into a superior Spanish force, Menchaca betrayed them and decided to join the royalists. The Americans had no choice but to flee back to Louisiana.³² Under these circumstances the best Gutiérrez could do was to prepare for his return trip to Texas.

Even though the American government officials were cautious in their treatment of Gutiérrez, they decided to provide him with a letter of introduction to William C. C. Clairborne, Governor of the Louisiana

²⁹ NARRETT (2002): 204.

³⁰ Diary, 73.

³¹ CHIPMAN and JOSEPH (1999): 236.

³² Diary, 71. MILLIGAN (1975): 30.

Territory. John Graham also lent him 200 pesos for his expenses along the way.³³ Secretary of State(,) James Monroe explicitly told him that it was „expedient” for him „to go back to [his] country to fetch the documents necessary to undertake the purchase of arms, and to report the friendly disposition of this country to favor the Republic of Mexico.”³⁴

Gutiérrez sailed out of Philadelphia on January 12, 1812 and arrived in New Orleans on March 23.³⁵ William Clairborne introduced him to William Shaler, a special agent for the United States whose assignment was to monitor his activities and accompany him to Natchitoches.³⁶ They reached their destination at the end of April, and Gutiérrez immediately started preparations for an invasion of Texas. Many volunteers joined him, among them Augustus William Magee, a West Point graduate and former artillery officer of the U.S. Army.³⁷

Shaler’s support enticed other Americans to serve the Mexican cause.³⁸ The involvement of the Americans in the Gutiérrez-Magee expedition indicated the not-so-unofficial goals of the United States in Texas.³⁹ In the eyes of the Anglo-American volunteers, however, Shaler represented their government’s approval of an armed expedition to Texas. Operating under the name of the „Republican Army of the North” (*Ejército del Norte*), Gutiérrez and Magee crossed the Sabine River on August 8, 1812.⁴⁰ Gutiérrez was in nominal command, but Magee in actual control, especially, because almost all of the officers – e.g. Samuel Kemper, Henry Perry, James Gaines, Thomas Lockett, and Reuben Ross – were American. Even though most Anglo Americans had joined the expedition „for reason of land, loot, and adventure,” the primary aim of Gutiérrez was to bring Texas into the fold of Mexican revolutionaries, whose leader by then had been José María Morelos y Pavón.⁴¹

On October 5, 1812 William Shaler reported to James Monroe: „[this] volunteer expedition from the most insignificant beginning is growing into an irresistible torrent that will Sweep the crazy remains of Spanish Government from the Internal Provinces, and open Mexico to the political influence of the U.S. and to the talents and enterprize [sic] of our citizens.”⁴²

In the beginning, Shaler’s optimism seemed to be well founded. The republicans met no opposition in Nacogdoches even though the Spanish

³³ Diary, 77. MILLIGAN (1975): 37.

³⁴ Diary, 73.

³⁵ CHIPMAN and JOSEPH (1999): 236. STAGG (2002): 456.

³⁶ NARRETT (2002): 206.

³⁷ Volunteers were offered forty dollars a month and one *league* (4,428 acres) of to-be-captured land in Texas. FEHRENBACH (1968): 122-123. MILLIGAN (1975): 60-61.

³⁸ STAGG (2002): 462-463.

³⁹ CHIPMAN and JOSEPH (1999): 236.

⁴⁰ MILLIGAN (1975): 54. CHIPMAN and JOSEPH (1999): 236.

⁴¹ FEHRENBACH (1968): 123. WITTMAN (1971): 229-230. ANDERLE (1998): 79. NARRETT (2002): 208-209.

⁴² Quoted in CHIPMAN and JOSEPH (1999): 236-237. STAGG (2002): 471.

commander, Manuel Zambrano published an appeal for volunteers to help defend the town. No Tejano responded. Then the city officials surrendered the town peacefully.⁴³

By then the rebellious army had swelled to about three hundred from the original one hundred and fifty, so in the middle of September Gutiérrez decided to move inland. They approached La Bahía. When the poorly defended presidio's soldiers fled, the Republican Army easily captured it and seized two or three cannon. Three days later, however, a royalist army under Manuel de Salcedo and Simón de Herrera arrived at the fort and put it under siege, which lasted for four months.

During the long siege, Gutiérrez momentarily wavered in his commitment to make Texas a part of independent Mexico. It was difficult to keep up the morale of his troops. The prospect of a continued siege, shortage of food, and scarcity of information caused despair and desertations.⁴⁴ Under the circumstances he wrote William Shaler and offered the province to the United States in return for military aid and protection from Spanish vengeance. He expressed his great desire in *„the Union of the two Americas.”* He explained that the people living in Texas between Nacogdoches and La Bahía expected him to establish a government and a constitution for them. His argument implied the establishment of some kind of joint Mexican-American administration over East Texas. His offer, however, was never seriously considered, especially because at the end of the repeated clashes under the fort, the republicans, who in the meantime managed to recruit Lipan Apache and Tonkawa allies with the help of Indian agents, managed to force the royalists to withdraw.⁴⁵

By the end of the four-month siege, significant changes had taken place in the republican camp. In February, 1813 William Magee died. It is still debated whether he committed suicide, died of a disease, or was murdered. What is certain is that after Magee's death, Samuel Kemper, his second in command assumed the rank of colonel and took command of the American volunteers. Gutiérrez became the commander-in-chief of the Republican Army.⁴⁶

On February 19, 1813, Governor Salcedo and Simón de Herrera lifted the fruitless siege. Two days later the republicans marched on Béxar. To defend the capital, Herrera made a stand at Salado Creek, about eight miles southeast of San Antonio. But in the ensuing battle, a combination of about eight hundred Anglo Americans, one hundred and eighty Mexicans, and more than three hundred Indian auxiliaries defeated the royalists in less than twenty minutes. Herrera suffered three hundred and thirty killed and sixty captured, while the republicans had only six killed and twenty-six

⁴³ MILLIGAN (1975): 63. 66.

⁴⁴ MILLIGAN (1975): 68-69.

⁴⁵ CHIPMAN and JOSEPH (1999): 237. NARRETT (2002): 211-212.

⁴⁶ MILLIGAN (1975): 70. CHIPMAN and JOSEPH (1999): 245. NARRETT (2002): 212.

wounded. They also seized cannon, arms, and supplies.⁴⁷

The next step was to prepare for the siege of San Antonio de Béxar. Several hundred people decided to join the insurgents thus leaving Salcedo and Herrera no choice but to surrender. The two officials wanted some guarantees and asked for conditional surrender including respect for the lives and property of noncombatants and protection of church property. In the reply, however, written by Bernardo Gutiérrez de Lara, „*Commander in Chief of the Mexican Army of the North*” and Samuel Kemper, „*Commander of the American volunteers*” Salcedo and Herrera were warned that only unconditional surrender could save the life of the inhabitants and prevent the capture of the capital by force. They assured them though that the laws of warfare concerning the treatment of the vanquished would be respected.

On April 2, 1813, the governor and town council of Béxar surrendered the town to the republicans. The insurgents celebrated their victory by raising the green flag of the first Republic of Texas over the military plaza of San Antonio.⁴⁸

Most probably, the Republican Army of the North adopted the emerald green flag because quite a few of the American volunteers had an Irish background. William Magee himself was of Irish descent, as well as Henry Perry, the quartermaster, Samuel Davenport, an Irishman originally in the service of Spain as an Indian agent, and Reuben Ross. Other prominent members of the force with Celtic names were, for example, William McLane, Daniel McClean, John McClanahan, and John McFarland.⁴⁹

Manuel de Salcedo and Simón de Herrera had to prepare for the worst. They surrendered unconditionally, and the people of the town demanded vengeance. On the following day, a hasty trial was held, which found Salcedo, Herrera, and fifteen of their officers guilty of authorizing flagrant and punishable actions against insurrectionists in Béxar. They were sentenced to death.⁵⁰

Some historians argued that Gutiérrez may have tried to spare their lives by granting them pardon, but this assertion has never been proved. It is more probable that officers of the American voluntary units protested against the impending executions and suggested instead that the prisoners should be taken to confinement to American soil in New Orleans. It appeared that Gutiérrez and his principal associates were ready for a compromise, and thus the seventeen prisoners left Béxar on the night of April 3. The captives, with hands tied behind their backs, were in the company of sixty Mexican soldiers, commanded by the rebel captain, Antonio Delgado, whose father Salcedo had

⁴⁷ MILLIGAN (1975): 73-74. DE LA TEJA (2010): 32.

⁴⁸ CHIPMAN and JOSEPH (1999): 238. NARRETT (2002): 214.

⁴⁹ MILLIGAN (1975): 61.

⁵⁰ MILLIGAN (1975): 84.

ordered executed some time before. A few miles outside of Béxar, at Salado Creek, the defenseless Spaniards were stopped, unhorsed, and stabbed to death with great cruelty. Their humiliated bodies were left where they fell and denied decent burial.⁵¹

With the capture of San Antonio, the rebels could decide about the fate of Texas. On April 6, 1812 Gutiérrez proclaimed independence.⁵²

„We, the people of the province of Texas, calling on the Supreme Judge of the Universe to witness the rectitude of our intentions, declare, that the ties which held us under the domination of Spain and Europe, are forever dissolved; that we possess the right to establish a government for ourselves; that in future all legitimate authority shall emanate from the people to whom alone it rightfully belongs, and that henceforth all allegiance or subjection to any foreign power whatsoever, is entirely renounced.”⁵³

The rhetoric reflected the spirit of enlightenment and the argument used in the American Declaration of Independence in 1776. Also taking its structure as a model, Gutiérrez then listed the abuses of the Spanish government and the grievances suffered in the province. He asserted that the United States had declared its independence from Great Britain with far less cause than the people of Texas and Mexico.

Gutiérrez gave credit to the Americans for their support of the revolution. He set the United States as an example for achieving and maintaining independence and proving that *„such a separation may be attended with national and individual prosperity.”⁵⁴*

Following the declaration of independence, Gutiérrez established a provisional government to rule Texas until the completion of a state constitution. He called on the citizens of San Antonio to nominate prominent persons from the town who could form a government. He received a list of twelve nominees and selected a provisional junta of six members, whose primary responsibility was to assist Gutiérrez in drafting the constitution. He chose the title of *„His Excellency the Governor of the State of Texas, President Protector of the Provisional Government of the State of Texas, General-in-Chief of the Republican State of New Spain.”⁵⁵*

The draft of the constitution was approved by the junta on April 17, 1813. The first article revealed the most important aim of the revolutionaries

⁵¹ FEHRENBACH (1968): 124. MILLIGAN (1975): 87. CHIPMAN and JOSEPH (1999): 238. NARRETT (2002): 212. Based on a firsthand account, José Antonio Navarro gave a vivid description of the case in his narrative: *„They dismounted from their horses, with no other arms than the dull knives that each of those monsters carried on their belts. After heaping offensive words and insulting epithets upon the prisoners, they cut their throats. With inhuman irony, some of the assassins sharpened their knives on the soles of their shoes in the presence of their defenseless victims.”* MCDONALD (2010): 25-26.

⁵² *„Texas’ First Declaration of Independence,”* in WALLACE and VIGNESS (1963): 39-40.

⁵³ WALLACE and VIGNESS (1963): 39.

⁵⁴ WALLACE and VIGNESS (1963): 40.

⁵⁵ MILLIGAN (1975): 77-78. CHIPMAN and JOSEPH (1999): 239.

when it proclaimed that „*the province of Texas shall henceforth be known only as the State of Texas, forming part of the Mexican Republic to which it remains inviolably joined.*”⁵⁶

This statement could easily alienate the American supporters of the Mexican cause. The framers of the constitution, however, decided to award the American volunteers who had joined the Gutiérrez-Magee expedition. Those who had served for a minimum of six months were entitled to one square league of land (4,428 acres). Gutiérrez sent a draft of the constitution, completed on April 17, 1813, to his American friends, Shaler and Clairborne.⁵⁷

It is important to point out that even though Gutiérrez and the junta advocated the establishment of a Mexican republic, they could not get too far away from the political traditions of the Spanish era. The president-protector and his advisory council had a strict control over every issue of state, military, and foreign affairs. Magistrates were to be elected to future Mexican congresses and delegates were to be sent to foreign nations,⁵⁸ but decision making was concentrated in Gutiérrez’s hands. According to Article 5 „*he shall be intrusted with the defense of the Country, foreign relations, execution of the laws, and preservation of order.*”⁵⁹ I agree with David Narrett’s argument though that Gutiérrez probably treated the junta as a provisional state government subject to national authority.⁶⁰ In addition, there was a special division of power between the governor and the council. The junta was to maintain close relations with neighboring states(,) as well as with „*the Interior of the Mexican Republic.*” It was to exercise lawful power until a general Congress of the Mexican Republic made other arrangements. The junta also had the authority to choose the governor and had the right to dismiss its nominees for office, including the governor.⁶¹ According to Article 5, the governor could „*undertake no campaign personally without having received the order of the Junta.*”⁶² And according to Article 10, „*each town in the State will be governed by a military officer named by the Governor, [but] this officer will be required to follow whatever rules are deemed necessary by the Junta.*”⁶³ This system can be considered as a significant shift from the old colonial order, in which governors of Texas served at the Crown’s pleasure.

Texas’ first constitution attempted to consolidate power on a local level. It also reflected the most important aim of the revolutionary leaders: to bring Texas into the Mexican Republic after the successful revolt.

⁵⁶ „*The Constitution of the State of Texas,*” in WALLACE and VIGNESS (1963): 40-41.

⁵⁷ CHIPMAN and JOSEPH (1999): 239.

⁵⁸ Article 18

⁵⁹ Article 5.

⁶⁰ NARRETT (2002): 217.

⁶¹ Article 12, „*The Constitution of the State of Texas,*” in WALLACE and VIGNESS (1963): 41.

⁶² Article 5, „*The Constitution of the State of Texas,*” in WALLACE and VIGNESS (1963): 40.

⁶³ Article 10, „*The Constitution of the State of Texas,*” in WALLACE and VIGNESS (1963): 40.

As it is often the case, however, victory also brought about debates, dissension, and the formulation of factions within the republican camp.

The Gutiérrez-Magee expedition and one of its most dramatic episodes, the killings at Salado Creek provoked fierce debates among contemporaries as well as historians who tried to interpret the events and the role Bernardo Gutiérrez de Lara played in them. During the mid-nineteenth century, American historians portrayed him as a villain. He was depicted as an opportunist, who put his own interests forward and damaged the republican cause through giving his consent to the killings at Salado Creek.⁶⁴ In the eyes of Mexican authors he was a patriot, who was betrayed by his former allies. In the first half of the twentieth century, American scholars acknowledged his patriotism, but criticized him for not being able to establish a liberal political order in Texas.⁶⁵ With the rise of New Western History in the 1960s and 1970s, a less critical and more complex interpretation was formulated.⁶⁶ This paper also makes an attempt to re-examine the relations between Mexican revolutionaries, American government officials, and Anglo-American adventurers during the first phase of the Mexican war of independence.

The brutal murder of Manuel de Salcedo, Simón Herrera, and their officers provoked discontent among not only the American volunteers, but also the Tejano members of the Mexican republican army. In addition, it obviously evoked the aversion and counter-reaction of the royalists. Joaquín de Arredondo, the newly appointed commandant general of the Eastern Interior Provinces, recruited more than seven hundred men. He organized a powerful army, and moved to crush the rebellion in Texas.⁶⁷

Meanwhile, Gutiérrez was forced to surrender power as president-protector. The killings at Salado Creek enraged and alienated many American volunteers as well as William Shaler and William Clairborne.⁶⁸ They looked to José Alvarez de Toledo, a former Spanish officer, for support. Toledo made use of the situation that Shaler was more ready to cooperate with him than with Gutiérrez. He started to publish and distribute two different newspapers

⁶⁴ See for example, FOOTE, Henry Stuart: *Texas and the Texans; or Advance of the Anglo-Americans to the South-West; Including a History of Leading Events in Mexico, from the Conquest by Fernando Cortes to the Termination of the Texas Revolution*. Philadelphia, 1841. I, 186-188.

⁶⁵ GARRETT, Julia Kathryn: *Green Flag Over Texas: A Story of the Last Years of Spain in Texas*, Austin, 1939. 183.

⁶⁶ CASTAÑEDA, Carlos Eduardo: *Our Catholic Heritage in Texas, 1519-1936*. (7 vols. 1950. reprint, New York, 1976), vol. 6, *Transition Period, The Fight for Freedom, 1810-1836*, 45-120, De la TEJA, Jesús Frank, ed.: *Tejano Leadership in Mexican and Revolutionary Texas*. College Station, 2010. WEBER, David J.: *The Spanish Frontier in North America*. New Haven and London, 1992. CHIPMAN, Donald E. and JOSEPH, Harriett Denise: *José Bernardo Gutiérrez de Lara/Joaquín de Arredondo*. IN: *Notable Men and Women of Spanish Texas*. Austin. 1999.

⁶⁷ MEINIG (1993): 37. CHIPMAN and JOSEPH (1999): 240, 242.

⁶⁸ MILLIGAN (1975): 86.

in Texas that contained allegations of Gutiérrez's incompetence and growing influence. As a consequence, more than a hundred American volunteers deserted and returned to the United States, which prompted the junta to dismiss Gutiérrez and replace him with Toledo.⁶⁹

On August 18, 1813, Toledo's troops and Arredondo's army clashed twenty miles south of San Antonio, near the Medina River. The royalist soldiers actually ambushed the republican army of Tejanos, American volunteers, Indians, and former royalists in a dense oak forest. Then, in a four-hour battle involving infantry, cavalry, and artillery, the rebel army of some 1,400 republicans was defeated. The battle of Medina was the bloodiest battle ever fought on Texas soil. Less than a hundred rebels were able to escape. Arredondo lost only fifty-five men. They received an honorable burial the next day, while the bodies of the insurgents were left to lie on the battlefield for nine years.⁷⁰

After the battle, royalist forces recaptured Texas. To escape the retaliation, hundreds of refugees crossed the Sabine River and fled to Louisiana. In San Antonio rebel property was confiscated, and in a bloody purge, Tejanos suspected of republican sentiments or collaboration with the insurgents were executed. More than three hundred men were shot, and many of the women were crowded together and had to grind corn for the Spanish soldiers and make tortillas for them. The inhabitants of Nacogdoches suffered a similar fate. The poorly provisioned troops pillaged Texas.⁷¹

The 1813 revolt was Texas' deadliest and most devastating attempt at independence. Arredondo's army left the province in ruins. Texas was virtually depopulated. While in 1803 the Hispanic population exceeded 4,000, it was less than 2,500 by the time Mexican independence was achieved in 1821.⁷²

Augustín de Iturbide acknowledged Bernardo Gutiérrez de Lara's dedication to the cause of Mexican independence, and he returned to Revilla in 1824. For two years he served as governor of Tamaulipas, and then lived in the province till his death in 1841.⁷³

The Mexican government had similar difficulties with populating the borderland region as the Spanish crown did. The irony is that Joaquín de Arredondo, as commandant general of the Eastern Interior Provinces, was among the Spanish officials who received Moses Austin's petition in January, 1821 to bring three hundred Anglo-American families to Texas. They agreed

⁶⁹ FEHRENBACH (1968): 125. MILLIGAN (1975): 95-99. CHIPMAN and JOSEPH (1999): 244. MCDONALD (2010): 27.

⁷⁰ MILLIGAN (1975): 100-102. CHIPMAN and JOSEPH (1999): 245. De la TEJA (2010): 150. MCDONALD (2010): 28.

⁷¹ De la TEJA (2010): 32. 197. MCDONALD (2010): 29.

⁷² WEBER (1982): 10. WEBER (1992): 299. CHIPMAN and JOSEPH (1999): 247.

⁷³ CHIPMAN and JOSEPH (1999): 247-248.

to his request and thus opened up the way for American immigration to territory. The growing presence of Americans and the incapability of the Mexican government to integrate the province economically and politically when it became more and more tied to its northeastern neighbor, finally led to the independence of Texas in 1836, and its annexation to the United States nine years later. With a brief interruption during the American Civil War, since 1845 the star spangled banner has flown over Texas.

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